



YOUTH COMMUNITY CORRECTIONS BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: YCC 60-21	Subject: USE OF CONTROL CONTINUUM AND RESTRAINTS	
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Applicable ACA Standards: 2-7168, 2-7169	Revision Date: 11-23-07, 01-06-09, 08-17-09, 02-17-10, 05-24-10	
Signature: /s/ Karen Duncan	Effective Date: 01-09-06	
Signature: /s/ Steve Gibson		

I. BUREAU DIRECTIVE:

The Youth Community Corrections (YCC) Bureau will provide employees with the appropriate training and guidance on the permissible use of control methods, to ensure that control methods are only used when absolutely necessary, and only to the degree necessary to subdue and control an individual youth, or restore order to a disruptive group to promote safety of those involved. These measures are not intended, and will not be used as a means of punishment, humiliation, or degradation of youth. This procedure will be reviewed annually and updated as needed.

II. DEFINITIONS:

Active Counter Measures - physical force, self-defense, or restraints used (other than for transport or upon entering detention).

Control Continuum - applying a progressive method used to gain control of a youth, starting with passive counter measures.

Documentation - reports such as Incident Reports, Medical Evaluation Report, Infraction and Use of Force Information Reports or pictures and/or videotapes of an incident including all information identifying relevant evidence.

Flex Cuffs - temporary restraints made of flexible material to be used during emergency situations, or at times when other restraints are not available.

Immediate Response – action that staff may immediately take in response to an emergency situation that constitutes a serious threat to the safety of staff, youth or other individuals, and to property or facility security or order. It applies when circumstances do not permit advance planning, consultation or approval by a higher-ranking staff member.

Lethal Force – force that may reasonably be expected to cause serious injury or death.

Mechanical Restraints - devices such as handcuffs, belly chains, and leg irons.

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Serious Bodily Injury - injury that creates a substantial risk of death or which causes permanent disfigurement or protracted loss or impairment of the function or process of any bodily member or organ.

III. PROCEDURES:

The use of force is sometimes necessary for **justifiable self-defense and protection of others**. Force should be employed only to the degree necessary to control the youth, and to the level that will be effective with a minimum of harm to both staff and the youth.

A. The Control Continuum

Employees are expected to know and be able to apply the proper level and type of force needed to control a youth's behavior. Force should be limited to the minimum amount necessary to control the situation. Force will not be used as punishment, harassment, coercion, humiliation, degradation or abuse of youth. (Refer to [YCC 60-21 \(A\), DOC Control Continuum](#))

1. **Passive Counter Measures** are techniques/strategies used by staff to gain compliance/control of a youth without forcible physical contact, such as:

- a. officer presence and
- b. verbal directions.

2. **Active Counter Measures** (which include Soft Empty-hand Techniques, Hard Empty-hand Techniques, or Restraints) are justified:

- a. to control a threatening youth;
- b. to separate participants in a fight;
- c. for self-defense;
- d. to defend others;
- e. for prevention of a crime;
- f. to prevent escape;
- g. to prevent destruction of property;
- h. to prevent suicide;
- i. to prevent self-mutilation.

Staff is authorized to use the following active counter measures in an immediate response situation without prior approval:

- a. physical force;
- b. self-defense techniques;
- c. restraints.

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3. **Lethal Force**

- a. YCC staff members are not trained or authorized to use lethal force in the performance of their duties.
- b. YCC staff members will request assistance from law enforcement as soon as possible in situations presenting ability or apparent ability of youth to cause serious injury or death. YCC staff will follow law enforcement directive.
 - i. The use of lethal force carries the obligation and responsibility to exercise discipline, caution, restraint, and good judgment. Staff must keep in mind that the use of lethal force presents a danger to the subject and to innocent parties.
 - ii. Lethal force will only be used by law enforcement to prevent death or serious injury of any person when no other means of resolving the situation is evident.
 - iii. The following four conditions or elements must be part of the decision-making process to determine whether a youth's actions constitute the threat of imminent danger of death or serious bodily injury:
 - a) **Ability or Apparent Ability** - Does the youth possess the ability or the apparent ability to cause serious injury or death to anyone? Disparity in size, age, strength, numbers, and the level of aggressiveness of the involved parties, including possession of a weapon, are all important factors when considering the element of ability.
 - b) **Opportunity** - The staff member must reasonably believe that the youth is in a position to cause serious bodily injury or death to anyone.
 - c) **Imminent Jeopardy** - The youth must be acting in such a manner that a reasonable person would conclude that serious bodily injury or death is imminent.
 - d) **Exhaust all Reasonable Options** - The staff member should contact law enforcement to consider lethal force as a last resort when there is no reasonable alternative.

4. **Procedures for Use of Lethal Force:**

- a. contact law enforcement personnel;
- b. verbal warnings will be used prior to law enforcement use of firearms;
- c. law enforcement procedures will be adhered to.

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**UNDER NO CIRCUMSTANCE SHALL A JUVENILE PAROLE OFFICER
BE PERMITTED TO CARRY A FIREARM WHILE ON DUTY.**

B. Restraints

The use of restraint equipment is intended to prevent threats to security, escape, assault, or the commission of some other offense by youth. Staff will use restraints in accordance with the following:

1. The YCC Bureau staff are responsible for ensuring restraints are in proper working order when restraining the youth.
2. The use of restraints, e.g., handcuffs, leg irons, and restraining belts, must be done humanely and on all youth being transported to a secure facility (discretionary for pre-placement visits), e.g., Pine Hills Youth Correctional Facility, Riverside Youth Correctional Facility, detention centers, and secure residential treatment centers.
3. Restraining equipment must not be used as punishment. Restraints should not cause physical pain, restrict blood circulation, or breathing of a youth.
4. Restraints should not be applied for more time than is absolutely necessary to control the situation.
5. Under no circumstances shall the youth be secured to the vehicle by mechanical restraints during transport.
6. Youth being transported to a non-secure facility do not require restraints.
7. If the transport overlaps a meal period, the youth will receive a meal. Meals will be served to the youth in the vehicle from a drive-thru restaurant or sack lunch when appropriate. Restraints should not be removed during the meal.
8. If there is evidence of or complaint of injury due to restraint medical attention will be provided.

C. Safety Precautions

Juvenile Parole Officers routinely meet with youth in their homes and communities. In some scenarios the officer should take extra precautions while supervising high-risk youth to prevent injury to himself or herself, the youth or the community. Some safety precautions follow:

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1. Home visits are routine to the JPO's duties. Whenever an officer believes the youth has violated parole and may be detained, the officer should request assistance from other DOC staff or law enforcement. The officer should attempt to detain the youth in their office instead of in the youth's home.
2. Safety precautions should be implemented with juvenile parole absconders. Officers should request assistance from law enforcement or other DOC staff when apprehending absconders. If the youth is located in the community by the officer, the officer should request assistance and attempt to follow the absconder until assistance arrives.
3. The officer should request assistance from other DOC staff and/or law enforcement when youth:
 - a. appear to be high risk to escape;
 - b. have a history of violence or aggression;
 - c. are suspected to have recent drug or alcohol use;
 - d. have threatened to resist being taken into custody;
 - e. become violent or aggressive:
 - i. while on parole;
 - ii. during transport or detainment.

D. Follow Up

When youth are subject to control continuum methods, use the following procedures:

1. After active counter measures have been used against a youth, the youth shall receive medical attention and any treatment necessary as soon as possible.
2. Staff injuries will be treated by a medical provider and a full report will be filed with the Bureau Chief on the nature and extent of those injuries.

E. Reporting Requirements

1. The YCC Bureau Chief or designee will be immediately notified when an active counter measure is used. All staff members involved will be required to complete [YCC 60-21 \(B\), Use of Force Information Sheet](#) reporting the basic information surrounding the incident **no later than the conclusion of that shift** and fax it to the Bureau Chief or designee. If youth is still housed at a youth correctional facility, also file report with the Superintendent of the facility. A more thorough report will be required **within 72 hours** of the incident, if the officer did not

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provide details in the original [Incident Report Form \[YCC 90-1 \(A\)\]](#) or recalls information that was not initially reported.

2. The Bureau Chief or Designee will investigate and complete [YCC 60-21 \(C\), Use of Force Evaluation Report](#) and [YCC 60-21 \(D\), Use of Force Evaluation Report - Central Office](#). The reports will include the following:
 - a. an account of the events leading to the use of force;
 - b. an accurate and precise description of the incident and reasons for employing force;
 - c. a description of the weapons or devices used, if any, and the manner in which they were employed;
 - d. a description of the injuries suffered, if any, and the treatment given or received;
 - e. a list of all participants and witnesses to the incident;
 - f. a copy of all incident reports compiled as a result of the incident;
 - g. a copy of available medical reports.
3. Reports of youth's injuries are to be filed in the youth's file and if an employee sustains injuries, [DOC 1.3.3 \(A\), First Report Form](#) will be completed in accordance with [DOC 1.3.3, Workers' Compensation](#). Once the investigation and reports are complete, the Bureau Chief will forward Use of Force incident information to the Youth Services Division Administrator and YSD Training Coordinator, and may forward to the Department's Security Manager. The Security Manager may disseminate this information to other DOC personnel.
4. the YCC Bureau Chief, or designee, will submit the DOC Use of Force Evaluation Report, which includes a full description of incident details and supporting evidence such as videotape or photographs, to the Investigations Bureau within ten working days of the incident;
5. the facility administrator, or JPOII or designee, will report incidents involving use of force, which may bring media attention, public safety concerns or involve significant Department liability because of the nature of the incident, parties involved, or other circumstances, to the Department legal staff and public information officer as soon as practical;
6. division and facility administrators will ensure a thorough incident review process, including referral for investigation, if warranted; and
7. notify staff that failure to report a use of force incident will be treated as a possible criminal offense and regarded as willful, unprofessional conduct that will

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result in disciplinary action up to, and including, discharge.

F. Allegations Against Staff

The YCC Bureau Chief will direct an investigation on all allegations of improper use of force, and will notify the Director pursuant to [DOC 1.3.12, Staff Association and Conduct with Offenders](#), [YCC 1.3.12, Staff Conduct with Current and Discharged Youth](#), and [YCC 1.3.52, Youth Abuse/Mistreatment](#). In incidents where possible criminal acts are involved, the appropriate law enforcement agency will be notified.

IV. CLOSING:

Questions concerning this procedure shall be directed to the employee's supervisor.

V. REFERENCES:

45-3-102, MCA	Use of Force in Defense of Person
45-3-106, MCA	Use of Force to Prevent Escape
53-1-203, MCA	Powers and Duties of Department of Corrections
DOC 3.1.8	Use of Force and Restraints
DOC 3.1.31	Firearms
DOC 1.4.1	Staff Development and Training
YCC 1.4.1	Staff Development and Training
YCC 3.1.8	Use of Control Continuum and Restraints

VI. ATTACHMENTS:

[YCC 60-21 \(A\) DOC Control Continuum](#)
[YCC 60-21 \(B\) Use of Force Information Sheet](#)
[YCC 60-21 \(C\) Use of Force Evaluation Report](#)
[YCC 60-21 \(D\) Use of Force Evaluation Report \(Central Office\)](#)